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## U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

September 21, 2018

Via ECF

The Honorable Andrew L. Carter, Jr. United States District Judge Southern District of New York United State Courthouse 40 Foley Square, Courtroom 1306 New York, New York 10007

Re: United States v. Ali Sadr Hashemi Nejad, 18 Cr. 224 (ALC)

Dear Judge Carter:

We write with the consent of defense counsel in the above-referenced matter to request an adjournment of the deadline set by the Court for the Government to produce to defense counsel "the complete data set of discovery that is reasonably free of technical problems[.]" (Dkt. 53). The Court's September 7, 2018 order required that such discovery be produced today.

Since issuance of the Court's September 7 order, the Government's IT staff has worked to address the numerous purported technical issues raised by the defense. While the causes and potential solutions for some of these issues have now been identified, others require further work and consultation with the defense. Yesterday, the parties conducted a conference call in order to share information and expedite the resolution of these issues. As a result of that call, the parties' IT personnel are now communicating directly in order to further facilitate that process. Because additional time is required to address these matters, the Government respectfully requests that it be permitted to provide a further update to the Court on October 1, 2018. In the meantime, the Government will make all efforts to resolve any technical issues and complete its production in advance of that date.

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The Government conferred with defense counsel who consented to this request, noting that they wish to resolve these matters as expeditiously as possible (a goal shared by the Government). The Government also consents to adjust accordingly the deadline for the defense to complete its review of potentially privileged materials (*i.e.*, three weeks from date on which revised set of discovery is produced to the defense).

Respectfully submitted,

GEOFFREY S. BERMAN United States Attorney

by: \_\_\_\_/s/

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Cc: Defense Counsel (via ECF)